

ESSB 6366 - H COMM AMD
By Committee on Appropriations

ADOPTED 03/03/2006

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that certain threats
4 to public health do not respect the jurisdictional boundaries of local
5 public health districts and departments. Such threats require an
6 efficient, well-coordinated response by local health jurisdictions in
7 order to protect the health of local residents as well as the health of
8 all Washingtonians. These threats place demands on public health to be
9 more vigilant than ever and to respond quickly and decisively. Rapid
10 responses of substantial magnitude are no longer a goal for the future,
11 but a necessity for preserving the health of society.

12 For over a decade, the public health improvement plan process has
13 brought state and local health jurisdictions together to achieve a
14 partnership that has produced standards of quality and best practices
15 that are a national model. The standards developed by the public
16 health improvement partnership have focused largely on formal
17 documentation of administrative processes by state and local health
18 jurisdictions. This is the necessary first step to measuring the
19 performance of public health, but is not yet sufficient for measuring
20 the outcomes of these improvements in public health operations.
21 Performance measures are needed immediately to ascertain the extent to
22 which the residents of the state of Washington have a consistent and
23 adequate level of protection from communicable diseases including a
24 pandemic disease outbreak.

25 The legislature recognizes the magnitude of the demands placed on
26 public health in today's society and the strides that it has made
27 toward holding itself accountable for the way in which it performs.
28 The legislature finds that enhanced funding and enhanced performance
29 measures are immediately necessary in order for public health to
30 perform at levels that will protect all of the residents of Washington.

1 NEW SECTION. **Sec. 2.** The definitions in this section apply
2 throughout this chapter unless the context clearly requires otherwise.

3 (1) "Department" means the department of health.

4 (2) "Local health jurisdiction" means a local health department as
5 established under chapter 70.05 RCW, a combined city-county health
6 department as established under chapter 70.08 RCW, or a health district
7 established under chapter 70.05 or 70.46 RCW.

8 (3) "Performance measure" means a standard that establishes a
9 benchmark against which a local health jurisdiction's performance can
10 be measured that is as closely associated with a desired outcome as
11 possible.

12 (4) "Secretary" means the secretary of health.

13 NEW SECTION. **Sec. 3.** The secretary shall:

14 (1) By June 15, 2006, establish a template, consistent with
15 requirements and performance standards established by the United States
16 department of health and human services, to define preparedness
17 activities that should be undertaken prior to a pandemic disease
18 outbreak or other communicable disease outbreak; describe the response,
19 coordination, and decision-making structure among all local public
20 health, health care, and response organizations; and define the roles
21 and responsibilities of all local public health, health care, and
22 response organizations during all phases of a pandemic disease outbreak
23 or other communicable disease outbreak. The template shall be used by
24 each local health jurisdiction to assess their capacity to respond to
25 a pandemic disease outbreak or other communicable disease outbreak that
26 poses a significant risk of a statewide health hazard. The template
27 must include explicit criteria and performance or outcome measures
28 related to the activities identified in section 5 of this act, and
29 reflect the relative priorities among the activities for purposes of
30 local health jurisdiction planning and implementation efforts. The
31 performance measures included in the template must provide a means to
32 assess operations of the department and each local health jurisdiction
33 with respect to providing an adequate and consistent level of statewide
34 protection for the residents of the state in the event of a pandemic
35 disease outbreak or other communicable disease outbreak. In developing
36 these measures, the secretary shall consider performance measures
37 developed by government agencies and private organizations. The

1 secretary shall attempt to develop these performance measures in
2 categories consistent with the process standards applicable to
3 protection from communicable disease as identified in the public health
4 improvement plan under RCW 43.70.520 and 43.70.580, to the extent that
5 these measures are consistent with federal standards defined by the
6 United States department of health and human services;

7 (2) Develop a process for assessing the compliance of the
8 department and each local health jurisdiction with the performance
9 measures developed under subsection (1) of this section at least
10 biannually;

11 (3) Develop a process for distributing federal funds appropriated
12 in the omnibus appropriations act on or before July 1, 2006, to local
13 health jurisdictions for development of their pandemic flu and
14 communicable disease outbreak preparedness and response plans, based
15 upon a formula developed by the secretary. The formula developed by
16 the secretary shall ensure that each local health jurisdiction receives
17 a minimum amount of funds for plan development and that any additional
18 funds for plan development be distributed equitably, including
19 consideration of population and factors that increase susceptibility to
20 an outbreak, upon soliciting the advice of the local health
21 jurisdictions;

22 (4) Develop a process for approving or rejecting pandemic flu and
23 communicable disease outbreak preparedness and response plans developed
24 by local health jurisdictions under section 5 of this act by November
25 30, 2006.

26 NEW SECTION. **Sec. 4.** (1) Each local health jurisdiction must
27 substantially comply with the performance measures established under
28 section 3 of this act by July 1, 2007, and maintain such substantial
29 compliance.

30 (2) The department shall report to the legislature by November 15,
31 2008, on the level of compliance with the performance measures
32 established in section 3 of this act. The report shall consider the
33 extent to which local health jurisdictions comply with each performance
34 measure and any impediments to meeting the expected level of
35 performance.

1 NEW SECTION. **Sec. 5.** By December 1, 2006, each jurisdiction shall
2 submit a pandemic flu and communicable disease outbreak preparedness
3 and response plan in consultation with appropriate public and private
4 sector partners, including departments of emergency management, law
5 enforcement, school districts, hospitals and medical professionals,
6 tribal governments, and business organizations. The plan shall include
7 the specific activities, including their relative priority within the
8 plan, that it will undertake to meet the standards included in the
9 template developed by the secretary under section 3 of this act by June
10 30, 2007, and a detailed explanation of the expenditures needed to
11 implement the plan. At a minimum, each plan shall address:

12 (1) Public education and citizen preparedness, including
13 improvements in the ability of the public to employ universal
14 infectious disease prevention practices, maintain emergency supplies,
15 and respond to a community public health emergency;

16 (2)(a) Disease surveillance, investigation, and rapid response,
17 including health care provider compliance with reportable conditions
18 requirements;

19 (b) Investigation and analysis of reported illness or outbreaks;
20 and

21 (c) Disease control response;

22 (3) Communications systems, including improving effectiveness of
23 communication, the availability of specialized communications
24 equipment, and access by health officials and community leaders to mass
25 media outlets;

26 (4) Medical system mobilization, including improving the linkages
27 and coordination of emergency responses across health care
28 organizations, contracts with community facilities to serve as
29 emergency alternative sites during an emergency, availability of
30 trained personnel, conducting practice drills and access to medical
31 supplies and equipment, plans and protocols to rapidly administer
32 vaccine to large populations and monitor vaccine effectiveness and
33 safety, and guidelines for the appropriate use of medications to treat
34 and prevent influenza or other communicable diseases;

35 (5) Community-level disease containment capability including
36 increasing adherence to public health advisories, voluntary social
37 isolation during disease outbreaks, and health officer orders related
38 to quarantines;

1 (6) Maintenance of social order and essential public services,
2 including improving linkages with the local emergency incident command
3 structure and maintenance of essential service and the development of
4 the legal documents necessary to facilitate and support the necessary
5 government response.

6 Upon approval of a local health jurisdiction's pandemic flu and
7 communicable disease outbreak preparedness and response plan by the
8 secretary, the secretary shall distribute state funds and any
9 additional federal funds appropriated under the omnibus appropriations
10 act for implementation of the plan, based upon a formula developed by
11 the secretary.

12 NEW SECTION. **Sec. 6.** The department shall provide implementation
13 support and assistance to a local health jurisdiction when the
14 secretary or the local health jurisdiction has significant concerns
15 regarding a jurisdiction's progress toward implementing its plan.
16 Nothing in this section is intended to limit the authority of the
17 secretary to act under RCW 43.70.130(4).

18 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute
19 a new chapter in Title 70 RCW.

20 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
21 preservation of the public peace, health, or safety, or support of the
22 state government and its existing public institutions, and takes effect
23 immediately."

24 Correct the title.

--- END ---